

April 5, 2005

April Fifth

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The regular April Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, T. Wayne Oakes, Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Administrative Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, Assistant City Manager for Government Affairs Todd M. Yeatts, Finance Director Aubrey Dodson, Newly-appointed Finance Director Barbara A. Dameron, City Attorney W. Clarke Whitfield, Jr., and Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Economic Development Director Ron Bunch, Community Development Director Jerry Fischer, Planning Director Kenny Gillie, Parks, Recreation and Tourism Director John Gilstrap, Deputy Emergency Services Director Chris Goss, and Emergency Services Director Doug Young.  
Mayor Hamlin presided.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member David Luther offered the Invocation. The Pledge of Allegiance to the Flag followed.

#### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Mayor Hamlin recognized City Manager Gwaltney. Mr. Gwaltney announced the City has a new corporate citizen. He called on Economic Development Director Ron Bunch to introduce TWM's general manager for a briefing.

Mr. Bunch expressed pride at introducing one of Danville's own, who was bringing his business back to the City. He introduced General Manager of TWM Cabling Michael Duncan. Mr. Duncan had announced today that his company would invest \$1.6 million and create fifty (50) new jobs.

Mr. Duncan said coming home meant a lot and he expressed pleasure over City Council's commitment to bring businesses into the Southside. He said he was very excited about the future and looked forward to the continuance of his company's growth in the new Danville facility.

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Mayor Hamlin and Council Members applauded Mr. Duncan for bringing his business to Danville.

Council Member Castiglione introduced Deputy Manager for Small Aircraft Transportation System (SATS) projects Guy Kimmerly and Outreach Manager for the National Consortium for Aviation Mobility Ken Hespe.

Mr. Kimmerly briefed Council on a NASA project that been in progress for about five years and was coming to the City. He said Congress mandated the SATS project several years ago and NASA was given a lot of funds to pursue obstacles to creating an alternative transportation system that uses small aircraft at small airports. He said this was basically a way to provide customized travel to individuals to connect communities. The project is being executed in a public/private partnership, the private sector being under the auspices of the National Consortium for Aviation Mobility. Mr. Kimmerly said NASA and the FAA represented the public sector.

Mr. Kimmerly said an event would be held at the end of the project, which would encompass the results of the project. He announced that Danville had been selected to hold the event. It is expected there will be a lot of media, executives from industry VIP's from Congress, and state governments from around the nation in attendance.

Mr. Hespe said many airports from around the Country were considered and Danville was selected to be the first airport to sponsor the project. He said there had been a great deal of support from Danville community leaders. Mr. Hespe said one of the events would be held at the Institute, with the major event being held at Danville Regional Airport.

Mr. Hespe said the SATS 2005 event will open with a public fly-in at the Airport on Sunday, June 5, followed by two days of technology and operating capability flight demonstrations, service provider displays and presentations on the potential impact and benefits derived from implementing the SATS vision. He said the 2005 event would showcase technologies designed to make small aircraft and airports more accessible to more people.

Mr. Hespe invited the public to attend and said further announcements about the event would be forthcoming. He said that any civic organization that wished to have a presentation should contact Council Member Castiglione.

Mayor Hamlin thanked Mr. Kimmerly and Mr. Hespe for selecting Danville for this momentous event.

Mayor Hamlin recognized Parks, Recreation and Tourism Director John Gilstrap. Mr. Gilstrap called attention to information that had been placed at the desk of each Council Member and staff about the "DRchip on the Move" program. The Drchip program encourages everyone to increase his/her steps in order to become

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healthier. He said the Pittsylvania County Board of Supervisors had challenged City Council to take more steps. A step counter or activity pedometer had also been provided for Council Members and staff. The challenge is due to commence on Sunday, April 10, 2005.

Mayor Hamlin encouraged Council Members to take on the challenge.

Council Member Castiglione introduced Cindi Fisher and Cathy Pulliam, sponsors of the Danville-Pittsylvania County Youth Council and asked each member attending to introduce himself or herself. Youth Council Members attending were: Chatham High School Senior Cody Fletcher, Tunstall High School Senior Kerry Hylton, George Washington High School Junior Moira Smith, Chatham High School Junior Leonard Adkins, George Washington High School Senior Rebekah Phillips, and Dan River High School Senior Abby Whitt.

Ms. Fisher said the group had focused on economic development this year and had been very busy. She said that last November, the group heard the IT Coordinator for ARCATT explain the latest in computer technology and in December, Danville's Economic Development Project Director Jeff Reed gave a slide presentation of the benefits of locating businesses in Danville.

Ms. Pulliam reported that Danville Police Officer Stan Moorefield gave a talk on how crime affects the economy and current crime prevention methods. She said Officer Moorefield asked the group for input relative to what events they would like to see during the National Night Out festivities held in August of each year and for ideas for crime prevention in schools.

Ms. Pulliam said the group would focus on recycling and litter control during the month of April and would tour the VIR International Raceway in May.

She thanked Council Members for their encouragement over the years.

Council Member Archie commended Ms. Fisher and Ms. Pulliam for the excellent job they were doing with the students and encouraged them to keep up the good work.

Mayor Hamlin thanked the group for taking time out of their busy schedules to participate in community activities.

Mayor Hamlin introduced Gary Brown, Director of the Virginia Office of Emergency Medical Services. Mr. Brown thanked City Manager Gwaltney for allowing Emergency Services Director Doug Young to take time away from the office to serve on the State Emergency Medical Service Advisory Board.

Mr. Brown presented Mayor Hamlin with the Commonwealth's first "Emergency Medical Dispatch State Accreditation." Mayor Hamlin then called on Emergency Services Director Doug Young to place

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the plaque on the wall in Emergency Services to honor all the work the local dispatchers do in keeping our citizens safe and healthy.

Mr. Young recognized and acknowledged the presence of his office staff, Deputy Emergency Services Director Chris Goss, and emergency services dispatchers. He expressed his appreciation to them for their commitment to quality service.

Council Members and staff applauded Mr. Young and staff for the recognition.

#### **MINUTES**

Upon Motion by Council Member Daniels and second by Council Member Archie, Minutes of the March 15, 2005 Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

#### **BUDGET ADOPTION-FY 2004-05-COMMUNICATIONS INTEROPERABILITY GRANT**

Upon Motion by Council Member Castiglione and second by Council Member Oakes, Ordinance No. 2005-03.04 presented by its First Reading on March 15, 2005 amending the Fiscal Year 2004-2005 Budget Appropriation Ordinance by increasing revenue to anticipate the receipt of funds from the Commonwealth of Virginia Communications Interoperability Grants Program for one (1) grant in the amount of \$99,250 to be used toward the procurement of equipment, technology and other material directly related to improving the Communications ability for first responders in the City of Danville was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).  
NAY: None (0).

#### **BUDGET ADOPTION-FY 2004-05-UDAG-URBAN HIGHWAY FUNDS**

Upon Motion by Council Member Daniels and second by Council Member Castiglione, Ordinance No. 2005-03.05 presented by its First Reading on March 15, 2005 amending the Fiscal Year 2004-2005 Budget Appropriation Ordinance for a project to be undertaken within the City and to be financed through the Community Development Fund Balance of UDAG funds in the amount of \$55,000 and anticipating revenues from Virginia Department of Transportation Urban Highway funds in the amount of \$80,852 for a total appropriation in the amount of \$135,851 was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).  
NAY: None (0).

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**HEARING-REZONE PROPERTY LOCATED ON CRYSTAL LANE**

Mayor Hamlin opened the floor for a Public Hearing to consider a request to rezone approximately .47 acre located on Crystal Lane. Notice of the Public Hearing had been duly published in the Danville Register and Bee on March 22 and 28, 2005. Applicant Bert Sellers appeared to answer questions from Council Members and citizens. No one present desired to be heard and the Public Hearing was closed.

Council Member Smith moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-04.01

AN ORDINANCE REZONING FROM HR-C HIGHWAY RETAIL COMMERCIAL TO S-R SUBURBAN RESIDENTIAL, APPROXIMATELY .47 ACRE ON CRYSTAL LANE.

The Motion was seconded by Vice-Mayor Williams and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Smith, and Williams (9).  
NAY: None (0).

**HEARING-SPECIAL USE PERMIT-3045 RIVERSIDE DRIVE**

Mayor Hamlin opened the floor for a Public Hearing to consider a request for a Special Use Permit for property located at 3045 Riverside Drive. Notice of the Public Hearing had been duly published in the Danville Register and Bee on March 22 and 28, 2005. Attorney Trevor Poe appeared on behalf of applicant Brantley Batterman to answer questions from Council Members and citizens.

Mr. Poe said Mr. Batterman would like to construct a 275 square foot addition to the northern portion of the Enterprise Rent-A-Car facility. He said the proposed addition would reduce the property's existing thirty-one (31) foot front yard setback to nineteen (19) feet.

In response to Council Member Archie, Planning Director Gillie said the applicant had requested a nineteen (19) foot setback, but the planning staff had recommended a twenty (20) foot setback.

No one further desired to be heard and the Public Hearing was closed.

Council Member Smith moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-04.02

AN ORDINANCE GRANTING A SPECIAL USE PERMIT IN ACCORDANCE WITH ARTICLE 3.M (C) (21) TO ALLOW FOR A TWENTY (20) FOOT FRONT YARD

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SETBACK WHERE A THIRTY (30) FOOT FRONT YARD SETBACK IS REQUIRED AT 3045 RIVERSIDE DRIVE.

Council Member Archie seconded the Motion.

In response to Council Member Luther, Mr. Gillie said presently the building is conforming to the thirty-one (31) front yard setback. The current City Code allows for a thirty (30) foot setback if there is access to an arterial street, which Riverside Drive is. The Code allows for a twenty (20) foot setback if an arterial street is inaccessible. Since there is access to Riverside Drive, the planning staff felt this was consistent with what the Code would permit if there wasn't access and also consistent with what is presently along Riverside Drive. Mr. Gillie said this was the reason for recommending twenty (20) feet instead of the requested nineteen (19).

The Ordinance was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).  
NAY: None (0).

**HEARING-SPECIAL USE PERMIT FOR PROPERTY AT 629 NORTH MAIN STREET**

Mayor Hamlin opened the floor for a Public Hearing to consider a request for a Special Use Permit for property located at 629 North Main Street. Notice of the Public Hearing had been duly published in the Danville Register and Bee on March 22 and 28, 2005.

Roy Gignac, President of the North Theatre Group, requested approval from council for placing a 150-watt mercury vapor lamp to light the an eight (8) foot by sixteen (16) foot outdoor advertising sign. Mr. Gignac explained that he was out of town when the Planning Commission met to approve a sign on the north side of the North Theatre building, thus was unable to make the request for illumination at that time. The Planning Commission had recommended that no additional illumination be provided for the requested outdoor advertising sign.

Mr. Gignac recognized and acknowledged the present of Jerry Meadors, the applicant, who was the driving force behind getting the old North Theatre building renovated.

Council Member Saunders asked if Council could honor Mr. Gignac's request according to the way the Ordinance was written. City Attorney Clarke Whitfield said the wording could be amended to allow for the lighting.

Mr. Whitfield called attention to page 2 of the Ordinance. He said the words "(4) no additional illumination is to be provided for the outdoor advertising sign" could be stricken. Number (3) would then be amended to read, "the outdoor advertising sign is

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to be painted per the attached design shown as "Exhibit A" that has been approved by staff and is hereby granted and approved."

In response to Dr. Williams, Mr. Gillie said the surrounding properties are consistent with the request for illuminated lighting.

In response to Council Member Smith, Mr. Gignac said the lighting would be placed on an adjacent building and would light the sign on the north side of the theatre building.

In response to Council Member Daniels, Mr. Gillie said that to his knowledge, there would be no reflection from the lighting into any residential property.

Mr. Gignac thanked the City for the infrastructure work around the theatre building.

No one further desired to be heard and the Public Hearing was closed.

Vice-Mayor Williams moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-04.03

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR AN OUTDOOR ADVERTISING SIGN IN ACCORDANCE WITH ARTICLE 10 SECTION N (2) (E)(AMENDED TO PERMIT ADDITIONAL ILLUMINATION).

The Motion was seconded by Council Member Saunders and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).  
NAY: None (0).

Mayor Hamlin thanked Mr. Gignac and Mr. Meadors for creating a theater that is second to none. Mrs. Archie agreed.

**HEARING-MODIFICATIONS TO CITY OF DANVILLE ZONING CODE**

Mayor Hamlin opened the floor for a Public Hearing to consider modifications to the City Zoning Code. Notice of the Public Hearing had been duly published in the Danville Register and Bee on March 22 and 28, 2005. No one present desired to be heard and the Public Hearing was closed.

Council Member Archie moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2005-04.04

AN ORDINANCE AMENDING AND REORDAINING CERTAIN SECTIONS OF CHAPTER 41, ENTITLED "ZONING ORDINANCE," OF THE DANVILLE CITY CODE

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INCLUDING SPECIFIC SECTIONS IN ARTICLE 3, ENTITLED "ZONING DISTRICTS," ARTICLE 10, ENTITLED "SIGN REGULATIONS," AND ARTICLE 15, ENTITLED "DEFINITIONS."

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).  
NAY: None (0).

**AUTHORIZE ISSUANCE OF GENERAL OBLIGATION BONDS-ELECTRIC SYSTEM**

Upon Motion by Council Member Castiglione and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2005-04.05

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,000,000 FOR ELECTRIC SYSTEM IMPROVEMENTS

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH BORROWING PROCEEDS**

Council Member Luther called attention to the figure \$9,800,000 on Page 1, No. 1 of the Resolution. He asked if the figure should not read "\$8,800,000." City Attorney Whitfield agreed and said the correction to show \$8,800,000 had been made on the original Resolution and called attention to a corrected copy that had been placed at the desk of each Council Member.

Council Member Luther moved the adoption of a Resolution (as corrected) entitled:

RESOLUTION NO. 2005-04.01

A RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.

The Motion was seconded by Council Member Smith and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith, and Williams (9).  
NAY: None (0).

**ISSUANCE OF BONDS BY THE REGIONAL INDUSTRIAL FACILITY AUTHORITY**



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Mayor Hamlin said the issue at hand was to evidence Council's support of the issuance of bonds by the Danville-Pittsylvania Regional Industrial Facility Authority for improvements to the Cane Creek Centre. He advised that Pittsylvania County had adopted a Resolution evidencing their support at a meeting on Monday evening.

Council Member Daniels moved the adoption of a Resolution entitled:

RESOLUTION NO. 2005-04.02

A RESOLUTION EVIDENCING SUPPORT AND APPROVAL FOR THE ISSUANCE OF BONDS BY THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY.

The Motion was seconded by Council Member Smith and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Smith, and Williams (9).  
NAY: None (0).

**COMMUNICATIONS**

City Manager Gwaltney advised the City's Fiscal Year 2005-2006 Budget had been presented to City Council according to City Charter and City Code requirements. He said there would be a work session soon to review the budget and capital improvements. Mr. Gwaltney said there would be a "City Manager Reports" on local cable next week with finance administration to go over the budget.

Deputy City Manager Lacy said a copy of the budget had been placed in the City's public libraries and in the City Clerk's office for public viewing.

There were no communications from the City Attorney and City Clerk.

**ROLL CALL**

Council Member Archie reiterated to Youth Council sponsors what a great job they were doing with area youth and encouraged them to keep up the good work. Mrs. Archie said she would like to see more young people taking advantage of this opportunity.

Council Member Castiglione thanked the Mayor for the opportunity to hear about the many positive things that are taking place within the City of Danville. He expressed appreciation to Mayor Hamlin and the entire Council for working so hard to make Danville an inviting place for citizens to live and work.

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Council Member Daniels expressed pride at the announcement of TWM Cabling Solutions coming to Danville. He thanked City Manager Gwaltney and Economic Director Ron Bunch and staff for the energy expended in bringing new businesses to Danville.

Mr. Daniels said that individuals doing automobile work in residential areas of the City were still a problem, in spite of changes to the City's Zoning Ordinance. He asked City Manager Gwaltney to look into what could be done to resolve this issue.

Mayor Hamlin thanked City Manager Gwaltney and Ron Bunch for their efforts in bringing TWM Cabling to Danville.

Mayor Hamlin called attention to the 2005 Danville Home Expo that will be held on April 9 and 10, 2005 at the Danville Community Market. He said there would be an energy conservation presentation by Danville Utilities staff and encouraged everyone to attend.

The Mayor also encouraged everyone to take on the Drchips challenge by the Board of Supervisors.

Council Member Luther expressed pride at TWM Cabling moving their corporate headquarters to Danville and that a Danville product would be exported to Asia.

Vice-Mayor Williams welcomed Mr. Duncan and TWM Cabling to Danville. Dr. Williams also said it was no accident that the SATS project would be coming to Danville, since word of the City's growth and growth potential was being spread both nationally and internationally. He encouraged all citizens to attend on June 5-7, 2005 at the Danville Regional Airport.

The Meeting adjourned at 8:32 P. M.

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MAYOR

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CLERK